



15 April 2021

[REDACTED]

Tēnā koe [REDACTED]

Thank you for your email of 17 February 2021 to the Ministry of Education requesting information in relation to the use of section 82 of the Education and Training Act 2020, complaints by students and dispute resolution panels.

This letter will respond to the following parts of your request. Work is currently underway on the other aspects of your request and a response will be provided to you in the coming weeks.

3. *Information relating to the process that led to inclusion of dispute resolution panels in the Education and Training Bill including:*

- a. *Any documents relating to the policy rationale for and intended purpose of the dispute resolution panels;*
- b. *Any documents relating to the prohibition on legal representation at the dispute resolution panels; and*
- c. *Any documents relating to the decision that determinations of the dispute resolution panels would be non-binding.*

4. *Information relating to the development of the new disputes resolution panels including:*

- a. *Documents relating to the development of regulations under section 644 of the Education and Training Act 2020 to establish dispute resolution panels and providing for the matters set out at section 644(b) to (e);*
- b. *Any meetings and/or correspondence with stakeholders including schools, bodies representing teachers and principals, organisations working with children and/or families, academics, and others with relevant expertise or interests in relation to the development of the new disputes resolution panels;*
- c. *Any engagement with children and young people in relation to the development of the new disputes resolution panels; and*
- d. *Any other relevant documents relating to the development and establishment of the new disputes resolution panels including, but not limited to, the process and timeframe for establishment of the disputes resolution panels.*

Your request has been considered under the Official Information Act 1982 (the Act).

We have identified a number of documents that fall within scope of your request.

You can find information on the process that led to inclusion of dispute resolution panels in the Cabinet paper Reform of the Tomorrow's Schools system: Paper two – legislative Provisions which can be found [here](#). Some submitters on the review of Tomorrow's Schools

commented on the need for an effective way to resolve disputes, and those submissions can be found [here](#).

In addition we have recently published a response to an Official Information Act request regarding the dispute resolution panels which you can find [here](#). As part of this response we provided links to publicly available documents in Appendix A to the response, which also fall within the scope of your request.

We also included research that was used by the Ministry when developing aspects of the dispute resolutions process. The documents are contained in Appendix C to the response.

We have not yet started engagement with external stakeholders for the development of the disputes resolution panels, however it is our intention to publicly consult on the regulations. We have added you to a list of stakeholders to engage with once the public consultation period starts.

Submitters on the Education and Training Act 2020 provided comments to the Education and Workforce Committee on the establishment of panels. These submissions are now public and can be found [here](#). The departmental report from the Ministry of Education summarises the submissions received on dispute panels, and can be found [here](#).

I am withholding 11 documents in full under section 9(2)(f)(iv) of the Act that relate to panels in order to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

Please note, the Ministry now proactively publishes OIA responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed.

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā



Dr Andrea Schöllmann
Deputy Secretary
Education System Policy